

SO ORDERED.

SIGNED this 14th day of April, 2021.




LENA MANSORI JAMES
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

IN RE:)	
)	
BRANDY D. LOWRY,)	Bankruptcy Case No: B-2080130
)	C-13D
Debtor.)	
_____)	
)	
RICHARD M. HUTSON, II,)	
Standing Trustee,)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No: 20-09009
)	
CARVANA, LLC,)	
)	
Defendant.)	
_____)	

CONSENT JUDGMENT

On Motion of the Plaintiff and with the consent of all parties to the above-referenced Adversary Proceeding, judgment is entered against Defendant in favor of Plaintiff as follows.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The lien of Defendant on the Debtor's 2018 Mazda ("the automobile") be avoided pursuant to 11 U.S.C. §549 and the claim of Defendant be allowed as a non-priority unsecured claim in the amount of \$14,653.08;
2. The certificate of title to the automobile shall be retained by Defendant with its lien intact until successful completion of the Debtor's Chapter 13 Plan and discharge of the Debtor pursuant to 11 U.S.C. §1328(a), whereupon the Defendant shall forward the certificate of title to the Debtor with its lien released;
3. Defendant shall retain its lien for the full amount due under the subject loan in the event the Debtor's Chapter 13 case is dismissed or in the event that the Debtor is granted a discharge under 11 U.S.C. §1328(b) or §1328(i);
4. In the event the Debtor converts the case to a case under Chapter 7, the Defendant shall release its lien on the certificate of title and forward the same to the appointed Chapter 7 Trustee;
5. The Debtor's Chapter 13 plan is hereby modified pursuant to 11 U.S.C. §1329 to provide for an increased distribution to general unsecured claims, estimated to be approximately 47%, and the payments and time period for the Debtor's plan shall remain as confirmed;

WE HEREBY CONSENT:

/s/ Benjamin E. Lovell

Benjamin E. Lovell, Esq.

Attorney for Plaintiff

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/s/ Neil D. Jonas

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